

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Case: 2:21-mj-30510

Assigned To : Unassigned

Assign. Date : 10/29/2021

CMP: SEALED MATTER (MAW)

United States of America

v.

Kevin Norman Deary

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 11, 2020 through October 6, 2021 in the county of Macomb in the Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. §§ 2252A(a)(2) and 2252A(a)(5)(B)

Receipt, distribution, and possession of child pornography

This criminal complaint is based on these facts:

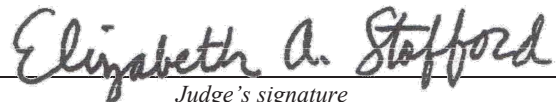
see attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: October 29, 2021

City and state: Detroit, Michigan

*Complainant's signature*Michelle A. Harmon, Special Agent (FBI)*Printed name and title**Judge's signature*Hon. Elizabeth A. Stafford, United States Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF AN APPLICATION  
FOR A COMPLAINT AND ARREST WARRANT**

I, Michelle A. Harmon, a Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I have been employed as a special agent with the FBI since 2000. I am currently assigned to the Detroit Field Office, Macomb County Resident Agency. As part of my official duties, I investigate crimes involving the sexual exploitation of minors, including criminal offenses pertaining to the illegal production, distribution, receipt, and possession of child pornography. I have received training in the proper investigative techniques for violations pertaining to child pornography and child exploitation. I have conducted and assisted in numerous child exploitation investigations, to include undercover operations to identify and locate individuals who seek to engage in sexual activity with minors and have executed search warrants that have led to seizures of child pornography. I have also received training in computer systems, computer networks, and mobile devices. Moreover, I am a federal law enforcement officer who is engaged in enforcing criminal laws, including 18 U.S.C. §§ 2251, 2252, and 2252A, and I am authorized by law to request a complaint and arrest warrant.

2. This affidavit is submitted in support of an application for a criminal complaint and arrest warrant for Kevin Norman Deary (\*\*/\*\*/1987) for violations

of 18 U.S.C. §§ 2252A(a)(2) and 2252A(a)(5)(B). (receipt, distribution, and possession of child pornography).

3. The statements contained in this affidavit are based in part on information provided by U.S. federal law enforcement agents and state and local law enforcement officers; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcements officers; information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by law enforcement agents/analysts and computer forensic professionals; and my experience, training and background as a special agent. Since this affidavit is being submitted for the limited purpose of securing a complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish that Kevin Norman Deary has violated Title 18, United States Code, Sections 2252A(a)(2) and 2252A(a)(5)(B).

#### **BACKGROUND OF INVESTIGATION**

4. Agents and task force officers working in an undercover capacity in the Minneapolis Division of the FBI conduct online Internet investigations to identify individuals involved in producing, advertising, trading, and distributing child pornography in chatrooms, email, social media, and other online services.

Between April 2020 and August 2021, an Online Covert Employee (OCE) participated in group and direct message chats with various users on the social media application LiveMe. The OCE identified several LiveMe group chats (“fams”) dedicated to trading child pornography. While the OCE had access to these groups, tens of thousands of child pornography files were traded either directly in the chat or by posting links to files located on cloud hosting services such as Dropbox or Mega.nz.

5. On May 11, 2020, OCE accessed the LiveMe group chat titled, “\*\*\*\*\* Trade” and observed that LiveMe user account “kevvvvvvvvvvvvvvv” (SID 13950\*\*\*\*) posted a link to a Mega.nz folder titled.” OCE accessed the folder and saw that it contained 41.23 GB of data in 648 files, which consisted largely of recordings saved from live streaming services that depicted a mix of prepubescent and adolescent boys and girls. OCE downloaded a selection of files from the link for evidentiary purposes. I reviewed the files obtained by OCE and observed that they depicted prepubescent and young minor children posing nude with their genitalia displayed and/or masturbating. The following is a description of five of the files observed by me:

File 1	Two live stream video clips in which a prepubescent female appears to be hiding under a blanket displaying her vagina and masturbating
File 2	Live stream video clip in which a young adolescent female masturbates in front of the camera with her

	shorts on and then pulls down her shorts to display her vagina
File 3	Video in which what appears to be an adult male's fingers rub the tip of a young adolescent male's penis before telling the adolescent male to dance; the young male dances nude in front of the camera and then masturbates
File 4	Video of a young adolescent male laying on a bed masturbating
File 5	Live stream video clip in which a prepubescent female kneels and stands on a bed with her vagina displayed; the prepubescent female also masturbates with what appears to be a marker pen

6. On June 12, 2020, OCE accessed the same LiveMe group and observed a conversation about child sexual abuse material (CSAM) and two links to files hosted on Dropbox. OCE accessed the linked files and saw that they contained videos depicting the sexual assault of prepubescent females. After the videos were posted, a chat ensued in the group in which members discussed the links and asked for more content. During the chat, “kevvvvvvvvvvvvvvv” (SID 13950\*\*\*\*) posted a link to files hosted on Mega.nz; however, the link was not functional. Another user in the chat stated, “@kevvvvvvvvvvvvvvv that’s a dead link in every fam you put it in dude.”

7. On September 16, 2020, OCE accessed the same LiveMe group “\*\*\*\*\* Trades” and saw that on September 7, 2020, Live Me user “kevvvvvvvvvvvvvvv” (SID 13950\*\*\*\*) posted a link to a Mega.nz folder titled, “”60 Vids.” OCE accessed the linked folder and saw that it contained 8.29 GB of data in 60 files, which primarily consisted of videos depicting nude adolescent females in sexually explicit poses. OCE downloaded a selection of the files for evidentiary purposes. I reviewed the files obtained by OCE and observed that they contained prepubescent and adolescent females engaged in live streaming videos posing nude with their vaginas displayed and/or masturbating. The following is a description of five of the files I observed:

File 6	Live stream video clip of an adolescent female sitting on the bathroom floor displaying her vagina and masturbating with an electric toothbrush
File 7	Live stream video recording of a young adolescent female in a bathroom standing/squatting over her phone displaying her vagina
File 8	Live stream video clip of an adolescent female on a bed with her vagina displayed and masturbating
File 9	Live stream video clip of a young adolescent female standing in a bedroom displaying her vagina and masturbating
File 10	Live stream video clip of a prepubescent female with her vagina displayed and masturbating

8. During the same undercover session as detailed above, OCE also observed that on September 16, 2020, “kevvvvvvvvvvvvvvv” (SID 13950\*\*\*\*) posted a link to a Mega.nz folder titled. OCE accessed the linked folder and saw that it contained 256.3 MB of data in 51 files, which primarily consisted of videos depicting the rape/sexual assault of prepubescent children, some of which appear to be under the age of five. OCE downloaded a sampling of the files for evidentiary purposes. I reviewed the files obtained by OCE and observed prepubescent children engaged in sexual acts with adults. The following is a description of five of the files I observed:

File 11	Video in which a young female prepubescent child is performing oral sex on an adult male and laying on a bed with her vagina and anus displayed
File 12	Video in which a young female prepubescent child is being penetrated vaginally and anally by an adult male penis
File 13	Video in which a young female prepubescent child is laying on her back with her legs spread and her vagina and anus exposed; an adult male hand is seen inserting a phallus into the child’s anus
File 14	Video in which a young female prepubescent child in a mask is sitting backward on an adult male who is penetrating her anally with his penis
File 15	Video in which an adult male penis is being rubbed on a female toddler’s genitals and penetrating the toddler’s anus

9. OCE conducted a review of the user profile “kevxxxxxxxxxxxxx” (SID 13950\*\*\*\*) on LiveMe, which revealed the user was also a member of other groups that appear to host child pornography material.

10. IP address and email address information indicated that the user “kevxxxxxxxxxxxxx” described above is Kevin Deary, and agents obtained a search warrant for Deary’s residence and executed it on October 6, 2021. Deary was interviewed during the execution of the search warrant and admitted to viewing child pornography online utilizing his cellular phone, a Samsung Galaxy. Deary also admitted to participating in group chats dedicated to the sharing of child pornography on social media applications, including LiveMe, TamTam Messenger, and Snapchat. Deary recalled participating in the LiveMe group chats involving child pornography, including the one that the OCE observed him posting in. Deary admitted that he obtained links to folders on Mega.nz that contained child pornography and that he shared the links with others in various group chats. Deary stated he prefers images and/or videos of prepubescent girls and girls aged 12 to 15. Deary further admitted to being aroused and masturbating while viewing child pornography. Deary stated he shared child pornography images containing children of all ages, from infants to teenagers, because “to each their own” and “everyone has their own taste.”



11. Pursuant to the search warrant at Deary's residence in Shelby Township, Michigan, which is in the Eastern District of Michigan, a Samsung Galaxy cellular phone was seized. Deary stated the phone was his and provided the unlock code. A forensic examination of Deary's cell phone revealed an encrypted folder that contained 64 GB of data. Further extraction and examination of the encrypted folder revealed thousands of videos and images of child pornography that were downloaded to the device. Specifically, I observed numerous videos and images depicting female toddlers, prepubescent children, and young adolescent teens in sexually explicit poses in which their genitals are exposed or in which they are masturbating or engaging in sexual activity with other minors and/or adults. Review of the folder structure containing the videos and images of child pornography revealed they were downloaded from various cloud storage and social media platforms, including Mega, LINE, TamTam, and Telegram. Below is a description of six of the videos I observed:

File 16	Two videos in which an adult male is vaginally penetrating a female toddler child
File 17	Video in which a prepubescent female child is laying back on a bed with her vagina exposed and a cloth covering her eyes; an adult male is rubbing his penis on her vagina and anus and then penetrates the child's anus

File 18	Video in which a prepubescent female child is being directed by an adult male to undress and lay on the bed; the adult male spreads the child's vagina and takes close up shots of the child's genitals
File 19	Video in which a prepubescent female child is kneeling on a bed nude near an adult male who is laying on his back nude and masturbating; the adult male and another adult male are talking to the child and directing her to perform oral sex
File 20	Video that appears to be in a public restroom with a toddler female child sitting on a toilet while an adult male masturbates and taps his penis on her head; the adult male then places the toddler over his lap and spreads the child's vagina and anus for the camera
File 21	Video of a prepubescent female child kneeling on the floor nude while an adult male masturbates and ejaculates on her face

12. Analysis of the secure folder on Deary's cell phone also showed that Deary engaged in chats on social media messaging applications, including LINE and Snapchat, wherein child pornography was being distributed and sexual activity with minors was being discussed. Review of the Snapchat and LINE chats showed

that Deary engaged in distributing, receiving, and viewing child pornography during these chat sessions.

13. Review of the LINE chats showed that Deary was a member of a group chat that existed from at least January 5, 2021 and continued through October 5, 2021, wherein 5,414 images and videos were distributed by members of the chat group. I reviewed the files and observed that nearly all of the images and videos depicted young prepubescent children and young teens in various states of undress with their genitals exposed or in which they are engaged in sexual activity with other children and/or adults. On September 30, 2021, Deary posted link “https://discord.gg/\*\*\*\*\*” to the group. A review of the Discord application cache folder on Deary’s phone revealed numerous images of young female children performing oral sex on adult males and/or posing nude with their genitals exposed.

14. Deary was also engaged in a group chat on LINE that existed from at least September 15, 2021 and continued through October 6, 2021, wherein 575 images and videos were shared by members of the group. I reviewed the files and observed that nearly all of the images and videos depicted female toddlers, prepubescent children, and young teens in various states of undress with their genitals exposed and/or engaged in sexual activity with other children and/or adults.

15. On September 18, 2021, Deary posted a message to the group asking, “Anyone got anything new.” On same date, a user in the group posted, “I love 11-16,” after which Deary posted thirteen videos of young teen and prepubescent females to the group. Deary then posted, “Anybody else want to share? Or are you all freeloaders.” Later on the same date in the group chat, during a discussion about teen girls aged 11 through 16, Deary stated, “Amen. I would love some tween pussy to suck on.”

16. On September 22, 2021, Deary posts to the group asking for more hacked camera footage depicting young children in states of undress stating, “The chubby tween on hacked camera” and “I am craving more. Something special there cause she has no idea we are watching haha.”

17. Review of the chats Deary engaged in on Snapchat revealed conversations with another adult individual who was in contact with a female teen minor (MV1). Deary was in contact with MV1 as well. When discussing their communications with MV1, Deary stated, “I don’t demand nudes. I play it slyly and treat her like she’s the top of the world” and also stated, “Some would call it grooming. I would call it getting to understand what a girl wants to feel....”

18. During a Snapchat session between Deary and MV1 on September 23, 2021, Deary asked MV how old she was and other things about herself and stated that he was trying to get her to open up. During the conversation, MV1 told Deary

she was in the shower and sent him a picture to which Deary replied, “^Lol so I get a picture of the showerhead. Hmmm I would rather get a picture of you currently!....I feel like I just got jipped there lol.” Deary then told MV1, “-Yeh. Don’t worry. You can make it up to me (winky-face emoji)...However you want. I’m not picky.” Later in the conversation, Deary asked MV1 “...What color underwear are you wearing?....).

### CONCLUSION

19. Based on the foregoing, there is probable cause to believe Kevin Norman Deary received child pornography, distributed child pornography, and possessed child pornography in violation of 18 U.S.C. § 2252A(a)(2) and 2252A(a)(5)(B).

Respectfully submitted,

A handwritten signature in blue ink, reading "Michelle A. Harmon".

Michelle A. Harmon, Special Agent  
Federal Bureau of Investigation

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

A handwritten signature in black ink, reading "Elizabeth A. Stafford".

HON. ELIZABETH A. STAFFORD  
UNITED STATES MAGISTRATE JUDGE

Date: October 29, 2021